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FACSIMILE TRANSMITTAL

TO:Name: Mail Stop AF
Group Art Unit 3731/Examiner Tuan Van Nguyen

Firm: U.S. Patent & Trademark Office

Fax No.: 571-273-8300

Subject: U.S. Patent Application No. 10/619,987

John I. Shipp et al.

Filed: June 12, 2003

SURGICAL LIGATION CLIP AND METHOD FOR
USE THEREOF

Attorney Docket No. 127.0003-03000

Customer No. 22882

Confirmation No.: 8851

FROM:

Name: Thomas H. Martin, Esq.

Phone No.: 330-877-2277

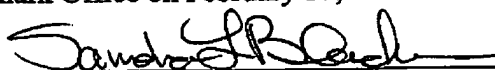
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Message:**CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8**

I hereby certify that the attached Transmittal Form (in duplicate) and Amendment After Final are being facsimile transmitted to the U.S. Patent and Trademark Office on February 17, 2009.


Sandra L. Blackmon

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FORM PTO-1083

Attorney Docket No.: 127.0003-03000

Customer No. 22882

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re application of:

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Confirmation No.: 8851

Art Unit: 3731

Examiner: Tuan Van Nguyen

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is an Amendment After Final in reply to the Final Office Action dated November 17, 2008 in the above-identified application.

☒ No additional fee is required.☐ Applicant hereby requests a ***-month extension of time to respond to the above office action.

The fee has been calculated as shown below:

| THIS HAS BEEN CALCULATED AS SHOWN BELOW: | | | | | | | | |
|---|---|---|---|-------------------------------|--|-------|------------------|------|
| | (Col. 1) CLAIMS REMAINING AFTER AMENDMENT | | (Col. 2) HIGHEST NUMBER PREVIOUSLY PAID FOR | (Col. 3) PRESENT EXTRA* | LG/SM \$ ENTITY FEE | | ADD'L FEE DUE | |
| TOTAL CLAIMS FEE | 21 | - | 43 ** | 0 | LG=\$52 SM=\$26 | \$52 | \$ 0 | |
| INDEPENDENT CLAIMS FEE | 5 | - | 8 *** | 0 | LG=\$220 SM=\$110 | \$220 | \$ 0 | |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIMS | | | | | LARGE ENTITY FEE = \$390 SMALL ENTITY FEE = \$195 | | | \$ 0 |
| TOTAL | | | | | | | \$ 0 | |

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box on Col. 1 of a prior amendment or the number of claims originally filed.

☐ The total amount of \$*** to cover the ***-month extension fee is to be charged to Deposit Account No. 50-1068.☒ The Commissioner is hereby authorized to charge any deficiencies of fees associated with this communication or credit any overpayment to Deposit Account No. 50-1068. A copy of this sheet is enclosed.☒ Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims☒ Any patent application processing fees under 37 C.F.R. § 1.17

Respectfully submitted,

MARTIN & FERRARO, LLP

Date: February 17, 2009

By: /Thomas H. Martin/

Thomas H. Martin

Registration No. 34,383

1557 Lake O'Pines Street, NE
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Telephone: (330) 877-0700
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Transmittal of Amendment.DOC

FORM PTO-1083

Attorney Docket No.: 127.0003-03000

Customer No. 22882

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- ☒ Any patent application processing fees under 37 C.F.R. § 1.17

Respectfully submitted,

MARTIN & FERRARO, LLP

Date: February 17, 2009

By: /Thomas H. Martin/
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RESPONSE UNDER 37 C.F.R. 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 3731

PATENT
Attorney Docket No. 127.0003-03000
Customer No. 22882

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|---------------------------------|---|---------------------------|
| In re Application of: |) | Confirmation No.: 8851 |
| John I. Shipp et al. |) | |
| Serial No.: 10/619,987 |) | Group Art Unit: 3731 |
| Filed: June 12, 2003 |) | Examiner: Tuan Van Nguyen |
| For: SURGICAL LIGATION CLIP AND |) | |
| METHOD FOR USE THEREOF |) | |

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

AMENDMENT AFTER FINAL

In reply to the Final Office Action ("Office Action") of November 17, 2008, and pursuant to 37 C.F.R. § 1.116, the Applicant proposes that this application be amended as follows:

Amendments to the Claims are reflected in the listing of claims, which begins on page 2 of this paper.

Remarks begin on page 7 of this paper.

Amendment After Final 02-17-09.doc